

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

January 29, 2001

D031826 Paredes et al. v. Fuller Ford, Inc.

The May 1997 and June 1998 orders are reversed, and this matter is remanded to the trial court with directions that all of Paredes's claims be removed from arbitration and allowed to proceed as a civil action in the superior court. Fuller shall pay costs on appeal. Nares, Acting P.J.; We Concur: McDonald, J., McIntyre, J.

D036420 Cutbirth v. American Savings Bank et al.

The order of the superior court denying American's motion to compel Cutbirth to comply with the contractual alternative dispute resolution and to stay the litigation is affirmed. Cutbirth is awarded her costs on appeal. McIntyre, J.; We Concur: Benke, Acting P.J., O'Rourke, J.

D033741 Brammell v. Ramona Municipal Water District et al.

D035016 Brammell v. Clark et al.

(consolidated) The judgments and related orders are affirmed. Appellant Brammell is to pay all costs on appeal. Huffman, Acting P.J.; We Concur: Haller, J., McDonald, J.

**D036494 Aliso Water Management Agency/South East Regional Reclamation Authority
Employee Association v. Aliso Water Management Agency et al.**

The order is affirmed. The parties shall bear their own costs on appeal. Kremer, P.J.;
We Concur: Haller, J., McDonald, J.

D036850 First Financial Insurance Company v. Superior Court of San Diego County/Sellers
The petition is denied.

D037025 Stadler v. Hulett, Individually and as Trustee of the Hulett Family Trust

The petition for writ of supersedeas is denied.

D036511 People v. Nava-Jimenez

The abstract of judgment is ordered modified to reflect dismissal rather than a stay of the prison priors, and copies of the amended abstract of judgment are to be provided to correctional authorities. In all other respects, the judgment is affirmed. Huffman, J.; We Concur: Benke, Acting P.J., O'Rourke, J.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

January 30, 2001

D036938 In re Fernando T. et al., Juveniles

By failing to file a timely petition for writ relief, the notice of intent as to Adrian S. is deemed to be abandoned. The case as to Adrian S. is dismissed.

D035829 In re Christopher R., a Juvenile

Order affirmed. Haller, Acting P.J.; We Concur: McDonald, J., O'Rourke, J.

D036747 Qualcomm, Inc. v. Superior Court of San Diego County/Sprague et al.

The petition is dismissed.

D035675 People v. Montiel-Barraza

The order denying the petition for writ of error coram nobis is affirmed. Huffman, J.;
We Concur: Benke, Acting P.J., Haller, J.

D036512 People v. Servin et al.

The superior court is directed to correct the abstracts of judgment to reflect that Gudino's and Servin's sentences on counts 2 and 3 and count 2 respectively shall be stayed under section 654 and shall forward corrected copies of the abstracts of judgment to the Department of Corrections. As modified, the judgments are affirmed. Work, Acting P.J.; We Concur: Benke, J., O'Rourke, J.

D036225 People v. Kannegiesser

Upon filing an abandonment of appeal, personally signed by the defendant, the appeal is dismissed and the remittitur is ordered to issue immediately (Cal. Rules of Court, rule 38).

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

January 31, 2001

D036386 People v. Richmond

Upon filing an abandonment of appeal, personally signed by the defendant, the appeal is dismissed and the remittitur is ordered to issue immediately (Cal. Rules of Court, rule 38).

D034685 People v. Mccurdy

The judgment is affirmed. Benke, J.; We Concur: Work, Acting P.J., O'Rourke, J.

D036613 In re Liera on Habeas Corpus

The petition is denied.

D034695 In re the Marriage of Kurko

The judgment is affirmed. Huffman, Acting P.J.; We Concur: Nares, J., O'Rourke, J.

D036884 Bayasi et al. v. Crabtree, Individually and as Trustee, etc., et al.

Appellants' request for dismissal of appeal as to respondents' Meristar Hospitality Partnership, L.P., MV Resort Inc. and RPD Vagabond, LLC dba Vagabond Inns is granted. The case as to Meristar Hospitality Partnership, L.P., MV Resort, Inc. and RPD Vagabond, LLC dba Vagabond Inns is dismissed with prejudice and the remittitur is ordered to issue immediately.

D035106 Brooks et al. v. American Tool & Engineering

The judgment is affirmed. Each party shall bear its own costs on appeal. Huffman, Acting P.J.; We Concur: Nares, J., McIntyre, J.

D037288 In re Erika S. et al., Juveniles

In that there is a reference to a Welfare & Institutions Code section 366.26 hearing, review must be sought by extraordinary writ. Petitions were filed in this case and dismissed for lack of any issues (D036909). Any issues that might now be raised are non-appealable. (See Anthony D. v. Superior Court (1998) 63 Cal.App.4th 149.) The appeal is dismissed.

D036651 Lin et al. v. Superior Court of San Diego County/Option One Mortgage Group

The petition is denied.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

February 1, 2001

D037173 In re Pedro M. et al., Juveniles

The attorney for petitioner Maribel V. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case is dismissed.

D036432 Health Industries of America, Inc. v. Root et al.

Order affirmed. Haller, J.; We Concur: Kremer, P.J., Nares, J.

D036428 People v. Garcia

Garcia's convictions in counts 1, 2 and 5 are reversed. The judgment is affirmed in all other respects and the matter is remanded to the trial court for further proceedings, including resentencing. McIntyre, J.; We Concur: Huffman, Acting P.J., Nares, J.

D036501 People v. Frisbee

The judgment is affirmed. Work, J.; We Concur: Kremer, P.J., Haller, J.

D033680 People v. De La Torre

The judgment is affirmed. Huffman, Acting P.J.; We Concur: McIntyre, J., O'Rourke, J.

D034771 In re Marriage of Henry

The order is affirmed. Work, Acting P.J.; We Concur: Huffman, J., McDonald, J.

D033847 People v. Slovik

Appellant's petition for rehearing is denied.

D033847 People v. Slovik

The People's petition for rehearing is granted.

D036788 Melanie B. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The petition is denied. Kremer, P.J.; We Concur: Haller, J., McIntyre, J.

D035855 People v. Donaldson

Judgment affirmed. O'Rourke, J.; We Concur: Kremer, P. J., Huffman, J.

D035623 In re Souda Noy S., a Juvenile

The disposition order is modified to reflect a maximum term of five years, eight months. The juvenile court is directed to modify its order accordingly and forward a modified order to the California Youth Authority. In all other respects the order is affirmed. Huffman, Acting P.J.; We Concur: Haller, J., McIntyre, J.

D035165 People v. Aaron

The judgment is affirmed. Huffman, J.; We Concur: Kremer, P.J., O'Rourke, J.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

February 1, 2001 (Continued)

D036423 Weisenfluh v. Regents of The University of California

The judgment is reversed, and the matter is remanded to the trial court with directions to vacate its order sustaining Regents' demurrer without leave to amend. The court is to enter a new order sustaining the demurrer on the ground that Weisenfluh did not allege facts showing compliance, or excuse from compliance, with administrative remedies, but giving her a reasonable time to amend her complaint. Weisenfluh is entitled to costs on appeal. McDonald, J.; We Concur: Kremer, P.J., Haller, J..

D036045 In re A. M., a Juvenile

Judgment affirmed. Nares, J.; We Concur: Kremer, P.J., Benke, J.

D036491 People v. Zamora

The judgment is affirmed. Huffman, J.; We Concur: Kremer, P.J., Nares, J.

D036672 Cynthia B. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The petition is denied. Kremer,; We Concur: P.J., Haller, J., McIntyre, J.

D035101 In re Charles M., a Juvenile

The judgment is affirmed. Huffman, Acting P.J.; We Concur: Nares, J., McIntyre, J.

D035651 People v. Edmundson

Judgment affirmed. Kremer, P.J.; We Concur: Huffman, J., O'Rourke, J.

D035412 People v. Young

The judgment is affirmed. O'Rourke, J.; We Concur: Kremer, P.J., Work, J.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

February 2, 2001

D036089 In re Terrence F., a Juvenile

The orders denying the section 388 modification petition and terminating parental rights are reversed. The matter is remanded to the juvenile court with directions to conduct an evidentiary hearing on the petition. If Reyna does not prevail on her petition, the court must conduct a new selection and implementation hearing. (In re Jeremy W. (1992) 3 Cal.App.4th 1407, 1416.) O'Rourke, J.;
We Concur: Kremer, P.J., Nares, J.

D037312 Penny P. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The petition is denied.

D035000 People v. Drew

Affirmed. Haller, J.; We Concur: Kremer, P.J., McDonald, J.

D035159 State of Wisconsin v. Devine et al.

The order is affirmed. McDonald, J.; We Concur: Kremer, P.J., Haller, J.

D037281 Klinger v. Superior Court of San Diego County/People

The petition is denied.

D036496 People v. Williams

The judgment is reversed and the matter is remanded. Kremer, P.J.; We Concur: Huffman, J., O'Rourke, J.

D034807 Masters v. SCPIE Holdings, Inc.

The petition for rehearing is denied.

D036322 In re L. B., a Juvenile

The order selecting adoption as L.B's permanent plan and terminating Willie's parental rights is affirmed. Haller, J.; We Concur: Kremer, P.J., O'Rourke, J.